

Bylaws of the North Dakota Interagency Coordinating Council

I. NAME

North Dakota Interagency Coordinating Council for Early Intervention Services, hereinafter referred to as ICC.

II. AUTHORITY

The ICC exists by authority of the Handicapped Amendments of 1986 (P.L. 99-457) and as amended by Individuals with Disabilities Act of 1997 (P.L. 105-17). 20 U.S.C. Secs. 1400 et. seq.

III. PURPOSE

To advise and assist the lead agencies (Department of Public Instruction, Department of Health and Department of Human Services) in their effort to implement a statewide system for the delivery of appropriate services to children at-risk and children with disabilities (ages birth through 5) and their families.

IV. FUNCTIONS

To advise and assist the lead agencies in their efforts to:

- A. develop and implement policies that constitute the statewide system.
- B. achieve the full participation, coordination, and cooperation of all appropriate public agencies in the State.
- C. effectively implement the statewide system by establishing a process that includes
 - 1. seeking information from service providers, service coordinators, parents, and others about any Federal, State, or local policies that impede timely service delivery; and
 - 2. taking steps to ensure that any policy problems identified under this section are resolved.
- D. the extent appropriate, resolve disputes.

- E. facilitate transition of toddlers with disabilities to services and school age programs provided under Part B of the Act, to the extent those services are appropriate.
- F. identify sources of fiscal and other support for services for early intervention programs, assign financial responsibility of the appropriate agencies, and to promote interagency agreements.
- G. prepare applications and amendments, thereto.
- H. prepare and submit an annual report to the Governor and to the Secretary of Education on the status of early intervention programs for children with disabilities, birth through five, and their families operated within the state.
- I. identify, explore, or evaluate, and report on priority topics necessary to the development of the statewide delivery system.

V. MEMBERSHIP

A. Composition

1. The ICC shall be composed of at least 24 members of:
 - a. At least 30 percent of the members shall be parents, including minority parents, of infants and toddlers with disabilities or children with disabilities aged 12 or younger, with knowledge of, or experience with, programs for infants and toddlers with disabilities. At least one such member shall be a parent of an infant or toddler with a disability or a child with a disability aged 6 or younger. A parent member may not be an employee of a public or private agency involved in providing early intervention services.
 - b. At least 20 percent of the members shall be an employee of a public or private provider of early intervention.
 - c. At least one member shall be involved in personnel preparation.
 - d. At least one member shall be from each of the State agencies involved in the provision of, or payment for, early intervention services to infants and toddlers with disabilities and their families and shall have sufficient authority to engage in policy planning and implementation on behalf of such agencies.

e. At least one member shall be from the State educational agency responsible for preschool services to children with disabilities and shall have sufficient authority to engage in policy planning and implementation on behalf of such agency.

f. At least one member shall be from the agency responsible for the State governance of insurance, especially in the areas of health insurance.

g. At least one member shall be a representative from a Head Start or Early Head Start agency or program in the State.

h. At least one representative from a State agency responsible for child care.

i. At least one member shall be from the state legislature.

j. At least one member shall be from the agency responsible for the State Medicaid program.

k. At least one member shall be a representative designated by the Office of Coordination of Education of Homeless Children and Youth.

l. At least one member shall be a representative from the State Child Welfare agency responsible for Foster Care.

m. At least one member shall be from the state agency responsible for children's mental health.

The ICC may include other members selected by the Governor, including a representative from the Bureau of Indian Affairs, or where there is no BIA-operated or funded school, from the Indian Health Service or the tribe/tribal council.

2. All members of the ICC shall be appointed by the Governor.

3. Term of office shall be for three years, except those made to fill an unexpired term. Appointments shall be staggered terms of office to assure that new appointments do not exceed one-third of the membership. Members can be reappointed for consecutive terms.

B. ICC Leadership

1. The membership of the ICC will annually elect a Chairperson and Vice Chairperson from amongst the membership with terms commencing July 1. The lead agency will facilitate the nominating process by requesting volunteers and/or soliciting nominations for both positions. The lead agency will then notify membership of all interested candidates. Election of the Chairperson and Vice Chairperson will be determined by a simple majority vote. The Chairperson and Vice-Chairperson may not serve more than two consecutive years in the same position.
 - a. A member of the ICC who is a representative of the Part C lead agency shall not serve as the chairperson of the ICC.
2. Chairperson and Vice Chairperson responsibilities include, but are not limited to:
 - a. Coordinate agenda for ICC meetings with lead agency
 - b. Facilitate ICC meetings
 - c. Liaison with the National Early Childhood Technical Assistance System
 - d. Liaison between ICC, lead agency, and other interagency partners including, but not limited to, Departments of Health and Public Instruction
 - e. Represent ICC in official capacity at meetings, on conference calls, and as list serve contact:
 - f. Signature authority for ICC
3. The Chairperson will serve as the deciding vote in the event of a tie. The Vice Chairperson will remain a voting member.
4. An Executive Committee shall be appointed for the purpose of advising the lead agency on time sensitive issues. This committee shall be comprised of the chairperson, vice-chairperson, and three additional members chosen by the chairperson. One of the five members must be a parent of a child who meets the requirements established under Section V.A.1.a and one member must be a representative of the IDEA Part B state agency. This committee must be established following each election of new officers. This committee must provide a report on any action to the full membership at the next regularly scheduled meeting.

C. Compensation, Upon Request

Members of the ICC will be compensated at the state rate for travel and per diem expenses for attending meetings. In addition, parent members shall, upon request, receive reimbursement for child care expenses. ICC members who are unemployed or forfeit wages to attend an ICC meeting will be eligible to receive an honorarium. All compensation will follow state and federal regulations.

VI. MEETINGS

- A. A quorum shall consist of a simple majority of the currently appointed membership of the ICC.
- B. Parliamentary Procedures
 - 1. Bylaws may be amended by a two-thirds (2/3) majority vote of the members present. Proposed changes to the bylaws must be submitted in writing to the membership a minimum of thirty (30) days prior to the vote.
 - 2. Matters may be introduced for consideration by any member, by the Chairperson, or by designated staff. Motions shall require seconding.
 - 3. At the discretion of the Chairperson, rules of precedence of motions and other parliamentary procedures not specified herein shall be governed by Robert's Rules of Order.
 - 4. Under special circumstances, the Chairperson may authorize a special vote by mail or conference call.
- C. Meeting Notification
 - 1. The meeting should be publicly announced, open and accessible to the general public. Meeting notices will be submitted to daily newspapers and posted on the North Dakota Early Intervention website at least two weeks in advance.
 - 2. Meeting times shall be at least quarterly and in such places as it deems necessary. Additional meetings may be scheduled at other times and places as deemed by the Chairperson.
 - 3. Members will be notified a month in advance of the meeting and will include a copy of the agenda.
- D. Special accommodations will be provided to facilitate

participation at the ICC meetings, both for ICC members and participants, when requested. The ICC may use funds under this part to pay for those services.

- E. There will be no substitutions for ICC members at meetings.
- F. In the event that the Chairperson and Vice Chairperson are unable to attend a meeting, the Chairperson will appoint another member to the role of Chairperson for that meeting.
- G. Any duly appointed member who misses 2 consecutive meetings may be contacted by the Chairperson to ascertain continued interest in ICC membership.

VII. CONFLICT OF INTEREST

No member of the ICC shall cast a vote on any matter which would provide direct financial benefit to that member or otherwise give the appearance of a conflict of interest under State Law.

VIII. SUBCOMMITTEES

- A. The Chairperson may establish subcommittees as determined necessary to carry out tasks as designated by the ICC. Each subcommittee must be chaired by an ICC member.
- B. Subcommittees are responsible to the ICC which may accept or reject recommendations for submission to the lead agencies.

Revisions: December, 2007
 July 1999
 February 1999
 August 1998